

Dear Ms. Emerson:

Thank you for the statement made on your behalf by Mr. Lloyd Smith before the Mississippi River Commission during the public meeting in Cape Girardeau, Missouri, on April 7, 2003. A copy of this letter is being sent to Mr. Smith at your Cape Girardeau office. In your statement you expressed concern over environmental groups who are opposed to flood protection projects. You also included in your written presentation concerns regarding projects in your district.

In 1992, a feasibility study was initiated to examine raising the level of protection of the Bois Brule Levee system. During the 1993 flood, the levee failed due to uncontrolled underseepage. In 2002, Congress directed the Corps to correct design deficiencies and raise the level of protection. A draft combined Design Deficiency and Detailed Project Report was completed in October 2002 and distributed for public review. The sponsor recently decided that they will proceed with the deficiency correction project first and pursue the project to raise the level of protection at a later date. The St. Louis District is currently finalizing the final Deficiency Correction Report.

A Periodic Inspection Report published in April 2002 identified several major deficiencies in the Cape Girardeau, Missouri, flood protection project. At the request of Congressional staffs, the St. Louis District met with the staffs in January 2003 and discussed the Periodic Inspection Report and the repair alternatives available to the local levee districts. The Corps is committed to helping the local levee districts

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resolve these deficiencies pending proper authorization and future appropriations.

Both the St. Louis and Memphis Districts recognize the need to monitor changes on the private Len Small levee. The potential to negatively impact the Commerce to Birds Point Levee has been recognized and is being addressed in a Comprehensive Planning Report and Environmental Impact Statement scheduled for completion in draft form in August 2003. Should this report result in a project, it is anticipated that the Len Small Levee

will become part of that project. If and when that happens, the Corps will have much more control over improvements that could adversely impact the Federal levee system. The levee is in the St. Louis District and is included in the PL 84-99 program. It is eligible to receive flood fighting and levee rehabilitation assistance, if required.

The Memphis District has installed approximately 150 relief wells along the Commerce to Birds Point Levee since the floods of 1995 and 1997. Associated collector and outlet ditches have also been constructed or improved. The relief well system will contribute to the stability of the levee during sustained high-water events. There are approximately 50 relief wells that remain to be installed just south of the town of Commerce. A construction contract for these remaining wells can be awarded once the local sponsor, Levee District No. 2 of Scott County, can provide the necessary rights-of-way.

The Corps' negotiations with the Missouri Attorney General's Office and the Missouri Department of Natural Resources (MDNR) resulted in the Corps and MDNR signing a Memorandum of Understanding for the restoration/preservation of Big Oak Tree State Park, a Settlement Agreement, and MDNR issuing water quality certification for the St. Johns Bayou-New Madrid Floodway Project on June 9, 2003. The settlement conditions require the evaluation of additional channel alternatives in the St. Johns Basin before proceeding with project implementation. The Corps expects to complete evaluation of these alternatives in July before submitting a Record of Decision (ROD) to me for signing. After signing of a ROD, restoration of funds reprogrammed in past years and

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initiation of project construction will be top priorities for the Corps.

Phase one of the New Madrid, Missouri, riverfront improvements was awarded in August 2002. This phase is being constructed at full Federal expense and is scheduled for completion during this construction season. Phase two of the improvements would be cost shared 50/50 with the local interests because the features of this phase are considered to be

recreational. Local interests have indicated that they are not interested in pursuing these features at this time.

The hydraulic and hydrology analysis for the Elk Chute South Levee setback has been done and the results have been presented to the local sponsor, the Elk Chute Drainage District (ECDD). They requested some changes to the preliminary design, and those proposals are being investigated. Additional information will be presented to the ECDD as it becomes available. A schedule for completion of the setback will be developed later this fiscal year and provided to you. Channel cleanout of Belle Fountain West has been completed, and cleanout of the upper three miles of Stateline Outlet is underway. The need for additional work on Stateline Outlet is currently being investigated.

Siltation that occurred in the St. Francis River near Arkansas Highway 90, after the initial channel restoration, has been removed. Although the Corps sediment model identified this area as a deposition area, the model and the project design are being reevaluated to determine if modifications are needed to ensure a long-term solution. The results of these reevaluations and proposed modifications, if any, will be shared with local and Congressional interests.

Due to changes in the Wappapello Lake's Water Control Plan, state and county roads at Wappapello Lake are flooded at a greater frequency and to a greater depth than when the project was placed in operation. Section 9 of the FCA of 1946 gives the Chief of Engineers the authority for remedial action on highways that are being damaged by the operation of the project. By this authority, the adverse possession of the state highways and

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county roads are being corrected by the subsequent relocations and subordinations as recommended in the Wappapello Lake, St. Francis River, Relocation Design Memorandum, State Highways and County Roads, April 1996.

The St. Louis District has completed Wayne County Road 538, Highway BB, and new bridge construction on Wayne County Road 526, which is part of an ongoing construction contract. Funds in Fiscal Year 2003 are being used to complete the Highway FF

subordination, complete Highway D (site 4) and County Roads 523 and 526 construction contracts, and initiate the Highway D (sites 1 and 2) contract. Funds in Fiscal Year 2004 will be used to continue the Highway D (sites 1 and 2) contract.

The Commission appreciates your support of the U.S. Army Corps of Engineers. We look forward to hearing from you or members of your staff at our future public meetings.

Sincerely,

Don T. Riley
Brigadier General, U.S. Army
President Designee, Mississippi
River Commission

